

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN HENRY WATERS III,

Plaintiff,

- against -

CAPTAIN BALWIN #807,  
OFFICER SCOTT #18186,  
OFFICER GARCIA #14448,

Defendants.  
----- X

**NOTICE AND ORDER OF  
VOLUNTARY DISMISSAL**

07 CV 9859 (LBS)

**WHEREAS**, plaintiff Benjamin Waters commenced this action by filing a complaint on or about November 7, 2007, alleging that certain of his federal rights were violated, and

**WHEREAS**, plaintiff Benjamin Waters desires to resolve the issues raised in this matter without further proceedings and without admissions of fault or liability;

**NOW, THEREFORE, IT IS HEREBY STATED**, by the plaintiff Benjamin Waters as follows:

1. The claims in this action brought by Benjamin Waters, are **DISMISSED WITH PREJUDICE**, without attorney's fees or costs to any party, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

**COPIES MAILED TO ALL PARTIES**


8-7-08 JY.

Dated: New York, New York  
7-15, 2008

Benjamin Waters  
Plaintiff, *pro se*  
#2410701081  
Anna M. Kross Center  
18-18 Hazen Street  
East Elmhurst, NY 11370

By: Benjamin Waters  
Benjamin Waters  
Plaintiff, *pro se*

SO ORDERED:

  
HON. LEONARD B. SAND,  
U.S.D.J.  
8/7/08